

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, TYLER MAGILL, APRIL  
MUNIZ, HANNAH PEARCE, MARCUS  
MARTIN, NATALIE ROMERO, CHELSEA  
ALVARADO, and JOHN DOE,

Plaintiffs,

V.

JASON KESSLER, RICHARD SPENCER,  
CHRISTOPHER CANTWELL, JAMES  
ALEX FIELDS, JR., VANGUARD  
AMERICA, ANDREW ANGLIN,  
MOONBASE HOLDINGS, LLC, ROBERT  
"AZZMADOR" RAY, NATHAN DAMIGO,  
ELLIOT KLINE a/k/a/ ELI MOSLEY,  
IDENTITY EVROPA, MATTHEW  
HEIMBACH, MATTHEW PARROTT a/k/a  
DAVID MATTHEW PARROTT,  
TRADITIONALIST WORKER PARTY,  
MICHAEL HILL, MICHAEL TUBBS,  
LEAGUE OF THE SOUTH, JEFF SCHOEP,  
NATIONAL SOCIALIST MOVEMENT,  
NATIONALIST FRONT, AUGUSTUS SOL  
INVICTUS, FRATERNAL ORDER OF THE  
ALT-KNIGHTS, MICHAEL "ENOCK"  
PEINOVICH, LOYAL WHITE KNIGHTS OF  
THE KU KLUX KLAN, and EAST COAST  
KNIGHTS OF THE KU KLUX KLAN a/k/a  
EAST COAST KNIGHTS OF THE TRUE  
INVISIBLE EMPIRE,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM**

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT AGAINST DEFENDANTS  
ANDREW ANGLIN AND MOONBASE HOLDINGS, LLC**

Plaintiffs respectfully request that this Court enter default against Defendants Andrew Anglin and Moonbase Holdings, LLC (collectively, "Defendants") pursuant to Federal Rule of

Civil Procedure 55(a) on the ground that Defendants have failed to plead or otherwise defend within the time prescribed by the Federal Rules of Civil Procedure (“FRCP”).

Plaintiffs effected service on Defendants on February 1, 2018 through the Secretary of the Commonwealth of Virginia pursuant to Va. Code. § 8.01-329. (ECF 217, 219.)

Plaintiffs put forth considerable effort in attempting to personally serve Defendants. Defendant Andrew Anglin is listed as the registered agent for Defendant Moonbase Holdings, LLC, a for-profit, limited-liability Ohio corporation. Exhibit 1. Plaintiffs’ process servers made multiple unsuccessful attempts to serve Defendants at the registered agent address listed as 6827 North High Street, Suite 121, Worthington, OH 43085 on October 10, and on December 20, 2017. Exhibits 2, 3. Plaintiffs’ private investigators also pinpointed over ten other addresses in Ohio with possible connections to Defendant Andrew Anglin, where process servers attempted to personally serve Defendants in November and December 2017. Exhibits 2-4.<sup>1</sup>

Pursuant to FRCP 4(e)(1), service may be made by following state law for serving a summons in the state where the district court is located. In Virginia, service may be effected through the Secretary of the Commonwealth as the statutory agent of the party to be served. Va. Code. § 8.01-329. The party seeking service must file an affidavit stating either (i) that the party to be served is a nonresident or (ii) that, after exercising due diligence, the party seeking service has been unable to locate the person to be served. Va. Code. § 8.01-329(B). The party seeking service must also identify and provide the Secretary of the Commonwealth the “last known post-office address” of the party to be served. Va. Code. § 8.01-329(C)(2).

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<sup>1</sup> Plaintiffs additionally made service on Defendants through the Ohio Secretary of State, made effective on January 16, 2018. Exhibit 5.

After exercising due diligence in attempting to locate Defendants without success, Plaintiffs followed the procedure required to effect service through the Secretary of the Commonwealth under Va. Code. § 8.01-329. Specifically, Plaintiffs filed two separate affidavits with the Secretary of the Commonwealth indicating that (i) Defendant Andrew Anglin is a non-resident, and that (ii) Defendant Moonbase Holdings, LLC is a foreign corporation and Va. Code. § 8.01-328.1(A) applies. Va. Code. § 8.01-329(B)(i). (ECF 217, 219.) In accordance with Va. Code. § 8.01-329(C)(2), Plaintiffs determined Defendants' "last known post-office address" to be 6827 North High Street, Suite 121, Worthington, OH 43085 based on Moonbase Holdings, LLC's registered agent address. Exhibit 1.

On February 1, 2018, the Secretary of the Commonwealth filed the required Certificate of Compliance with the Court for Defendants, thereby effecting service.<sup>2</sup> (ECF 217, 219.) Based on the service date of February 1, 2018, Defendants were required to respond by February 26, 2018, twenty-one days after service was effected. Va. Code. § 8.01-329(C)(3) ("The time for the person to be served to respond to process sent by the Secretary shall run from the date when the certificate of compliance is filed in the office of the clerk of the court in which the action is pending.").

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<sup>2</sup> After service was completed, Plaintiffs learned that an authorized representative of Moonbase Holdings, LLC, Karen Zappitelli, had changed the registered agent address for Moonbase Holdings, LLC to PO Box 208, Worthington, OH 43085, with the registered agent still listed as Defendant Andrew Anglin. Exhibits 6, 7. Though Defendants had already been served, in the interest of being as thorough as possible, Plaintiffs (i) served Defendants at PO Box 208 through the Ohio Secretary of State on February 22, 2018, Exhibit 8, and (ii) served Defendants through the Secretary of the Commonwealth of Virginia listing PO Box 208 as the "last known post-office address" on February 28, 2018. (ECF 246, 247.) As a courtesy, Plaintiffs also mailed Karen Zappitelli, who appears to be Defendants' accountant, a copy of the summonses and First Amended Complaint. Exhibit 9.

As of the date of this motion, over three weeks have elapsed since the February 26, 2018 deadline, and Defendants still have not filed an answer, motion, or otherwise appeared to defend against this action as required by FRCP 12(a)(1)(A). Accordingly, Plaintiffs respectfully ask the Court to grant this Motion to Enter Default against Defendants for failure to plead or otherwise defend under FRCP 55(a).

Dated: March 14, 2018

Respectfully submitted,

s/ Robert T. Cahill

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*Counsel for Plaintiffs*

## CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2018, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

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*Pro Se Defendant*

I further hereby certify that on March 14, 2018, I also served the following non-ECF participants, via U.S. mail, First Class and postage prepaid, addressed as follows:

Loyal White Knights of the Ku Klux Klan  
a/k/a Loyal White Knights Church of  
the Invisible Empire, Inc.  
c/o Chris and Amanda Barker  
P.O. Box 54  
Pelham, NC 27311

Richard Spencer  
1001-A King Street  
Alexandria, VA 22314  
-and-  
P.O. Box 1676  
Whitefish, MT 59937

Moonbase Holdings, LLC  
c/o Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

East Coast Knights of the Ku Klux Klan  
a/k/a East Coast Knights of the  
True Invisible Empire  
26 South Pine St.  
Red Lion, PA 17356

Fraternal Order of the Alt-Knights  
c/o Kyle Chapman  
52 Lycett Circle  
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Augustus Sol Invictus  
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